

Date: January 14, 2016  
Time: 6:30 p.m.  
Place: Willard City Hall, 80 W 50 S, Willard, UT 84340  
Attendance: Mayor Pro-tem Mike Crossley, Council members Robert Beebe, Del Fredde, Josh Braegger, and Jared Profaizer; City Recorder Teri Fellenz, City Planner Bryce Wheelwright, City Attorney Kevin McGaha  
  
Excused: Mayor Kenneth Braegger  
  
Others: (see attached for others)

Financial – The vouchers and warrants were presented to the Council for approval. The reports were individually reviewed.

### **SWEARING IN CEREMONY FOR NEW CITY COUNCIL MEMBERS**

City Recorder Teri Fellenz administered the Oath of Office to Council members Mike Crossley, Delmar Fredde and Jared Profaizer.

#### **1. Call to Order**

- a. Invocation
- b. Pledge of Allegiance

#### **2. Open Comment Period** (Individuals have three minutes for open comments. If required, items may be referred to department heads for resolution. Items requiring action by the City Council will be placed on the agenda for a future meeting.)

Clyde Westley presented the City Council with a check for \$216 to go toward the sewer system. He stated they looked their budget and wanted to donate the money. He stated more importantly it represents 216 tons of gravel that is still on the mountain and he estimated approximately 8 dump trucks full of gravel. The Council thanked him for the donation.

Jean Loveland – Thanked the Willard City Council, Fire Department and City employees for their kindness and everything that was done for the family after the death of her dad.

#### **3. Business**

- a. Wood, Richards & Associates – Presentation of 2014-15 Fiscal Year Independent Audit – Lynn Wood of Wood, Richards & Associates presented the independent audit for the 2014-15 Fiscal Year. He stated they have issued an “unmodified opinion” which is the best they can give and the City has good financial management. He reviewed highlights of the report in the General Fund and Enterprise funds and noted the comparison from prior years. He noted the Enterprise funds are not funding depreciation of the systems and cash has been tight. He stated the refinancing of the bond has helped on the Sewer Fund. He also noted there was one finding regarding a member of the Council that did not receive the required Open and Public Meetings training. He asked the Council members if they had any questions. Council member Fredde thanked him for the presentation and thanked City Recorder Teri Fellenz for the great work on the finances.

- b. City Council review and discussion of final proposal from Unison Cellular Lease and possible decision to proceed to have a resolution drafted to authorize the Mayor to enter into an agreement with Unison Cellular Lease and designating where payment of lump sum funds will be allocated. This item will be tabled until later in the meeting.
- c. Planning Commission Report
  - 1) Granite Ridge Request for plan changes to Phase I to eliminate stub road and add additional lots. Review of Planning Commission recommendation and decision. City Planner Bryce Wheelwright reported Granite Ridge has requested to hold off on this item and will go with the original plan and submit to SLUA for approval.
  - 2) Review of proposed changes to the Future Land Use Map to add a Commercial Neighborhood Zone, 220 feet east and west along Main Street (Highway 89) from 1450 North to the South City limits. Set for public hearing on February 11, 2016. Bryce presented the proposed change to the Council members. He explained it would allow for light commercial development along Highway 89 (Main Street). He explained there was a public hearing held at the planning commission level and there were some property owners that were disheartened because an area at approximately 1450 North is not included. This is at the advice of Law Enforcement and UDOT due to the dangerous traffic area at Hargis Hill. He then requested a public hearing be held for February 11.

***Council member Crossley made a motion to set a public hearing for February 11, 2016, seconded by Council member Fredde. The motion carried.***

<b><i>Council member Beebe – yes</i></b>	<b><i>Council member Braegger – yes</i></b>
<b><i>Council member Crossley – yes</i></b>	<b><i>Council member Profaizer – yes</i></b>
<b><i>Council member Fredde - yes</i></b>	

- d. Review and approval of Annual Meeting Schedule or approval with revisions. The attached 2016 annual meeting schedule was presented for approval

***Council member Beebe made a motion to approve the proposed schedule, seconded by Council member Braegger. The vote was unanimous.***

<b><i>Council member Beebe – yes</i></b>	<b><i>Council member Braegger – yes</i></b>
<b><i>Council member Crossley – yes</i></b>	<b><i>Council member Profaizer – yes</i></b>
<b><i>Council member Fredde - yes</i></b>	

- e. Discussion on mandatory training for Mayor and City Council Members and review of Municipal Ethics Act and Disclosures.
  - 1) Open and public meetings – Training Session – The attached information was presented on open and public meetings as required by Utah Open and Public Meetings Act.
  - 2) National Incident Management System (NIMS) – Judy Loveland, Willard City Emergency Coordinator presented the attached list of positions and required FEMA classes of the National Incident Management System (NIMS) each is required to have. She explained they are required if the City for FEMA to

provide financial assistance in a disaster. Judy then informed them of an upcoming training of two of the required classes to be held on February 20, 2016 in Elwood. She also suggested she could contact the County Emergency Manager, Randy Millett and set up a training here. She asked the Council member consider the options and get back with her as soon as possible.

- 3) Public Disclosures of Conflicts of interest – the Utah Municipal Ethics Act was discussed and the requirement of Public Officials to declare in writing and in an open and public meeting any conflicts of interest they may have. Forms of disclosure were passed out. Council member Braegger declared a conflict of interest as he works for a company (Tramcor) that occasionally does business with the City. Council member Beebe declared he has two businesses that are licensed by Willard City.
- f. Approval of minutes: December 10, 2015 Work session and December 10, 2015 meeting. The minutes of the two meetings were individually reviewed.

***Council member Fredde made a motion to approve the minutes of the December 10, 2015 Work session and the December 10, 2015 regular City Council meeting as written. The motion as seconded by Council member Beebe and the vote was unanimous.***

- g. Financial – The vouchers and warrants were presented to the Council for approval. The reports were individually reviewed.
- 1) Warrants
  - 2) Vouchers
  - 3) Reports

#### **4. Department Reports**

- a. Maintenance Department
- 1) Request for approval to purchase cutting blades for maintenance equipment. Council member Beebe presented the attached quote.

***Council member Beebe made a motion to approve the purchase of the cutting blades, seconded by Council member Braegger. The motion carried.***

<b><i>Council member Beebe – yes</i></b>	<b><i>Council member Braegger – yes</i></b>
<b><i>Council member Crossley – yes</i></b>	<b><i>Council member Profaizer – yes</i></b>
<b><i>Council member Fredde – yes</i></b>	

- 2) Discussion on updating construction and design standards. Maintenance Supervisor Doug Thompson presented a request to look into updating the standards. There are a number of items that need to be updated. A brief discussion was held and Jones & Associates will need to provide a quote for preparing the new manual. Doug will follow up with Chris Breinholt of Jones & Associates.
- 3) 100 West trees on City right of way- Doug then presented a picture of some small trees along the city right-of-way along 100 West. He explained there are many areas in the community that have this situation. A property owner has issued a complaint that the trees could potentially do damage to their irrigation pipes and has asked the city to remove them. His concern is once they start there will be many areas that have the same situation and part of

the problem is the irrigation water that is left to overflow and waters the trees. Council member Beebe will go with him and look at the situation to see if there is a solution.

- 4) Discussion on hydrant meter rentals – request to revise ordinance to require a deposit equal to or greater than the replacement of a hydrant meter. Doug explained the City had two hydrant meters to allow contractors to use city water for projects, for a charge. He explained the deposit is only \$200 and is not enough to cover the cost of replacement if they do not return the meter. He requested they look into changing the ordinance.
- b. Police Department – Chief Loveland presented the attached report and reviewed the 2015 call history.
  - 1) Approval of expenditures
    - a) Fuel pump replacement 2013 Dodge
    - b) Tires for 2 vehicles
    - c) Approval for grant expenditures and equipmentChief Loveland presented the request for expenditures for tires for two trucks and fuel pump replacement on one of the 2013 Dodge pickup trucks.

***Council member Beebe made a motion to approve \$1,376.84 for the purchase of the tires and \$742.00 for the replacement of the fuel pump. The motion was seconded by Council member Braegger. The motion carried.***

<b><i>Council member Beebe – yes</i></b>	<b><i>Council member Braegger – yes</i></b>
<b><i>Council member Crossley – yes</i></b>	<b><i>Council member Profaizer – yes</i></b>
<b><i>Council member Fredde - yes</i></b>	

Chief Loveland then presented a request for expenditures for the Alcohol Allotment Grant for microphones not to exceed \$2,000, ADT grant expenditures not to exceed \$5,000 for Body Cameras and Vehicle Components for the cameras and \$2,000 of the JAG Grant.

***Council member Beebe made a motion to approve the grant expenditures, seconded by Council member Fredde. The motion carried.***

<b><i>Council member Beebe – yes</i></b>	<b><i>Council member Braegger – yes</i></b>
<b><i>Council member Crossley – yes</i></b>	<b><i>Council member Profaizer – yes</i></b>
<b><i>Council member Fredde - yes</i></b>	

- c. Fire Department – Chief Mund reported on a Joint Fire Academy they will be participating in. The classes will begin on February 9<sup>th</sup> thru the April 2<sup>nd</sup>. They will teach 1 week of the class. He explained there is also ADO pumper aerial class coming up that members will be attending. He reported on an accident in another community where the driver training was questioned. They did have the proper training. The class will provide certification of the members who successfully complete the class and the certifications will be \$50-\$75 each.

***Council member Beebe made a motion to go into a closed session to discuss the sale or lease of real property. The motion was seconded by Council member Fredde and the motion carried with the following vote:***

<b><i>Council member Beebe – yes</i></b>	<b><i>Council member Braegger – yes</i></b>
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***Council member Crossley – yes      Council member Profaizer – yes  
Council member Fredde - yes***

***The members of the Council, City Attorney Kevin McGaha, and Recorder Teri Fellenz adjourned to the main office for the closed session at 7:55 p.m.***

***Council member Beebe made a motion to return to the regular meeting, seconded by Council member Braegger and the motion carried.***

***Council member Beebe – yes      Council member Braegger – yes  
Council member Crossley – yes      Council member Profaizer – yes  
Council member Fredde - yes***

***The regular meeting resumed at 8:17 p.m.***

Council member Braegger requested they return to item **b.** City Council review and discussion of final proposal from Unison Cellular Lease and possible decision to proceed to have a resolution drafted to authorize the Mayor to enter into an agreement with Unison Cellular Lease and designating where payment of lump sum funds will be allocated.

***Council member Braegger made a motion to proceed and draft a resolution for consideration that would authorize the Mayor to enter into an agreement with Unison and allocate \$65,000 of the funds to the Water Fund for replacing source meters and SCADA systems and the rest to the General Fund. The motion was seconded by Council member Beebe and the motion carried with the following vote:***

***Council member Beebe – yes      Council member Braegger – yes  
Council member Crossley – yes      Council member Profaizer – yes  
Council member Fredde - yes***

## **5. Council members**

- a. Robert Beebe
- b. Mike Crossley
- c. Del Fredde – Reported Val Kotter and Sons was given a Notice to Proceed on the Sewer Cleaning Project which will begin mid-February.
  - 1) Report/clarification on letter from Perry City regarding personnel – Reported he wanted the Council members to review the letter and that the plant operator is not as satisfied as the letter portrays.
- d. Josh Braegger
  - 1) Willard Creek Nature Park and Debris Basin update. – Gave an update on the progress of the project and some adjustments in the pedestrian bridge elevation.
  - 2) Discussion and a motion to appoint two Willard City Council members to participate in mediation with the Willard City Attorney, Perry City Attorney and two Perry City Council members. Council member Braegger suggested a resolution be drafted for two Council members from each community be appointed to meet with the City Attorneys to try and resolve the issues with the treatment facility. A brief discussion was held.

***Council member Braegger made a motion to have two Council members appointed by the Council who are not currently on the WWTF Board along with the City Attorney, as long as Perry approves the same arrangement, to meet to try and come to a resolution on the issues involving the Waste Water Treatment Facility. The motion was seconded by Council member Beebe. The vote was unanimous.***

***Council member Beebe – yes  
Council member Crossley – yes  
Council member Fredde - yes***

***Council member Braegger – yes  
Council member Profaizer – yes***

e. Jared Profaizer

**6. Mayor's General Correspondence and Information**

- 7. Adjourn: A motion was made by Council member Fredde to adjourn, seconded by Council member Braegger, motion carried. The meeting adjourned at 8:25 p.m.**

Minutes were read individually and approved on January 28, 2016